

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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IN RE: KEURIG GREEN MOUNTAIN SINGLE-SERVE	:	No. 1:14-md-02542 (VSB) (SLC)
COFFEE ANTITRUST LITIGATION	:	
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**SECOND DECLARATION OF JOSEPH C. BOURNE IN SUPPORT OF REQUEST FOR
DISCOVERY CONFERENCE REGARDING SUBPOENA OF AMAZON.COM, INC.**

Joseph C. Bourne declares:

1. I am an attorney duly admitted to practice before this Court. I am an associate at the firm of Pearson, Simon & Warshaw, LLP, co-lead counsel for Indirect Purchaser Plaintiffs (“IPPs”).

2. I am the attorney principally responsible for the handling of this matter. I am personally familiar with the facts set forth in this declaration. If called as a witness I could and would competently testify to the matters stated herein.

3. I met and conferred telephonically with Amazon’s outside counsel, James Howard and Annamaria Taskai of Davis Wright Tremaine, on March 30, 2020, for approximately 35 minutes. During that meet and confer, Mr. Howard and Ms. Taskai advised me that it is less burdensome to search for the transactional data across all sellers (when sorting by ASIN), meaning both (1) the transactions where Amazon is the seller and (2) the transactions involving third-party sellers through the Amazon platform. Mr. Howard and Ms. Taskai further explained that this is because of the way in which Amazon collects transactional data by ASIN. By contrast, if searching in some other manner, such as by UPC or keyword, they explained that it would be less burdensome to only collect the transactional data where Amazon is the seller (in order to avoid searching the transactions of third-party sellers). But when searching by ASIN, it is less

burdensome to include all transactions rather than exclude the transactions of third-party sellers. During that conversation, I advised Mr. Howard and Ms. Taskai that IPPs remained willing to accept either (1) the transactions limited to where Amazon is the seller, or (2) those plus the transactions where a third party is the seller—whichever is less burdensome for Amazon to collect and produce.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 28th day of April, 2020, at Minneapolis, Minnesota.

/s/ Joseph C. Bourne
Joseph C. Bourne